

**Office of the State Public Defender
Administrative Policies**

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1. POLICY

The Office of the State Public Defender (OPD) has established the following procedures to provide uniform case data and to enable the comparison of case assignments across the public defender system.

2. ENTRY IN CASE MANAGEMENT SYSTEM

All OPD cases are to be entered into the case management database using the following definitions and procedures.

2.1. Standard Definitions

Standard definitions of Case Status and Case Type are defined in Attachment A.

2.2. Procedures

- 2.2.1.** All cases must first be entered with an opened status before they are put into a closed or inactive status. This is necessary to account for all cases processed through OPD.
- 2.2.2.** All cases must be assigned an attorney. If the attorney is undetermined, elect "Attorney Pending" in the database until a determination of assignment has been made.
- 2.2.3.** Cases are to be opened on a daily basis. If the opening of a case is delayed, the "Receive Date" must accurately reflect the intake date. All opened cases for a particular month must be entered into the database within five days of month end.
- 2.2.4.** Each OPD attorney employee (FTE) shall close cases in conformity with this policy on a weekly basis. Refer to Policy 106, Closing Cases, for criteria to use in determining when to close a case.
- 2.2.5.** All closures must be entered into the database within 10 days of month end. It is essential that the "Date Closed" entered in the database reflect the actual date of closure, NOT the date of data entry.

3.0 CASE STATUS REVIEW

The status of each case must be reviewed and certified to the Central Office on a regular basis.

3.1. Monthly Review

- 3.1.1** All FTE attorneys must review their assigned open and inactive cases within the first week of the month using the Open Case by Attorney Report.

- 3.1.2 Changes to case status must be identified on this report, and provided to an assigned support staff member in the office, so that all changes are updated in the database within 10 days of month end.
- 3.1.3 Support staff will initial each change made to case status, certifying that the database has been updated, and/or that notations were made to the case status notes on the file.
- 3.1.4 The aging reports will be maintained by each attorney on a monthly basis.

3.2. Quarterly Review

- 3.2.1 On a quarterly basis, a reviewing manager (managing attorney and/or Regional Deputy Public Defender) must meet with each FTE Attorney to review their caseload. This review is intended to ensure that the status of each case is current in the database.
- 3.2.2 The reviewing manager will certify that this review process is complete by signing the report (Open Case by Attorney Report) and scanning a copy to the Central Office.

4.0 CLOSING

Questions about this policy should be directed to the State Office at the following address:

Office of the State Public Defender, Administrative Service Division
44 West Park
Butte, MT 59701
Phone: 406-496-6080

ATTACHMENT A

CASE STATUS

OPD has defined three standard case statuses to be used statewide: OPEN, CLOSED, and INACTIVE (the only valid statuses begin with all caps).

1. OPEN CASE STATUS

OPEN – FTE (All cases assigned to an OPD-employed attorney)
OPEN – Conflict (Conflict case assigned to a contract attorney)
OPEN – Contract (Non-conflict case assigned to a contract attorney)
OPEN – Sentence Review
OPEN – Warrant (Actively being worked on)
OPEN – Remanded (Includes cases from Supreme Court or District Court)
OPEN – Appeal (ADO use only—Supreme Court appeals)

2. CLOSED CASE STATUS

CLOSED – Denied (Case not accepted by OPD)
CLOSED – Dismissed
CLOSED – Convicted Trial
CLOSED – Convicted Plea
CLOSED – Adjudication
CLOSED – Acquitted
CLOSED – Private Counsel Elected
CLOSED – Contract/Conflict (Outside Counsel)
CLOSED – Awaiting Judgment
CLOSED – Other
CLOSED – Commitment (DI Cases)
CLOSED – Rights Terminated (DN)
CLOSED – Relinquished (DN)
CLOSED – Consent Decree (DJ Cases)
CLOSED – Affirmed (ADO use only)
CLOSED – Granted (ADO use only)
CLOSED – Remanded (ADO use only)

3. INACTIVE CASE STATUS

INACTIVE – Warrant (Client has absconded)
INACTIVE – Deferred (Includes both deferred prosecution and deferred imposition)
INACTIVE – 5 Justice Panel (ADO use only)
INACTIVE – Submitted to EB (ADO use only)
INACTIVE – Guardian (DG)

CASE TYPE

Case types have been defined to include all courts serviced by OPD. The naming convention is based on the cause numbers issued by the courts.

CR	Lower Court Criminal Complaint
DA	Supreme Court Appeal (ADO only)
DC	District Court
DD	Developmentally Disabled
DG	Guardianship
DI	Involuntary Mental Health Commitment
DJ	Youth Court
DN	Abuse and Neglect
DV	Post Conviction Relief
OP	Writ
TK	Lower Court Ticket